

AFFIDAVIT IN SUPPORT A CRIMINAL COMPLAINT

I, Nicholas J. Deserio, a Task Force Officer (TFO) with the Federal Bureau of Investigation (hereinafter “FBI”), Cleveland Division, being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your affiant is an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7); that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, the offenses enumerated in 18 U.S.C § 2516.

2. Your affiant is currently employed as a Detective with the Portage County Sheriff’s Office in Ohio (PCSO) and is assigned as a sworn TFO to the FBI. As such affiant is deputized and authorized to conduct investigations on behalf of FBI. Affiant has been so assigned since August 2022 and is currently assigned to the Cleveland Division, Akron Resident Agency. Affiant has participated in investigations targeting individuals who trade Child Sexual Abuse Material (CSAM) in the Northern District of Ohio.

3. This affidavit is being submitted for the limited purpose of establishing probable cause to believe that Richard A Murdock (Murdock), born in 1981, has violated 18 U.S.C. § 2252(a)(2) - Receipt and Distribution of Visual Depictions of Minors Engaged in Sexually Explicit Conduct.

4. The statements contained in this affidavit are based in part on: information provided by FBI Special Agents (SA), Task Force Officers, and FBI Analysts; written reports about this investigation that the affiant has received directly or indirectly, from other law enforcement agents; information gathered from the results of physical surveillance conducted by law enforcement agents; reporting by eye-witnesses; the execution of federal search warrants, an interview of Murdock and his associates; independent investigation and analysis by FBI agents/analysts; and affiant’s experience, training and

background as a Task Force Officer of the FBI and Detective with the Portage County Sheriff's Office. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, your Affiant has not included each and every fact known to him concerning this investigation. Instead, your affiant has set forth only the facts that he believes are necessary to establish probable cause for the requested complaint.

STATUTORY AUTHORITY

5. This investigation concerns alleged violations of Title 18, United States Code, § 2252(a)(2), relating to material involving the sexual exploitation of minors.
 - a. 18 U.S.C. § 2252(a)(2) and (b)(1) prohibit any person from knowingly receiving or distributing, or attempting or conspiring to receive or distribute, any visual depiction using any means or facility of interstate or foreign commerce, or that has been mailed or shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by computer, or knowingly reproducing any visual depiction for distribution using any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce or through the mails, if the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction is of such conduct.
6. On or about September 12, 2022, the Ohio Internet Crimes Against Children Task Force (ICAC), provided the FBI with CyberTip 128845967 depicting Synchronoss user identified as Richard A Murdock uploading CSAM.

7. Affiant reviewed the above CyberTip which references Synchronoss user 330-357-7015 uploading, saving, or sharing CSAM. Also provided in the CyberTip was subscriber information regarding Synchronoss account. I observed the following subscriber data associated with the Subject Account:

- **Phone:** 330-357-XXXX [redacted]
- **Additional Information:** rmurdockjr@hotmail.com

8. There was one CSAM video associated with this CyberTip which was titled “8fdd226902024c6c97e7c280b120f85a_691ee77112a16d281e3f774892a01ae999a15eaf97a3d0e4f08bbcb77ad9efd46.mp4” and is an approximately fourteen second color video of an approximately nine-year-old caucasian female with blonde hair completely nude. The female is dancing proactively in front of the camera. At approximately seven seconds in she spreads her buttocks for the camera. At approximately thirteen seconds in she begins inserting her finger into her anus.

9. An ICAC Investigator sent your affiant two other CyberTips associated with the same subject as the CyberTip listed above. CyberTip 12495518 was from Synchronoss and included the same subscriber information as CyberTip128845967. CyberTip 12151545 was from KIK and contained 17 total files 16 of which were CSAM and one of which was a file provided by KIK containing the subscriber data of the suspect account. In the CyberTip KIK indicated that all of the CSAM files were uploaded and sent from the user in the CyberTip to another user or was shared to a messaging group by the user in the CyberTip in April of 2022. I observed the following subscriber data provided by KIK:

- **Email Address:** rmurdockjr@gmail.com
- **Screen/ Username:** r31jr
- **ESP User ID:** rjr31_58j
- **IP address:** 65.185.175.38 at 05/16/2022 02:11:38 UTC

10. The CyberTip from KIK included 16 videos identified as CSAM one video titled "db911c9f-5558-4088-8ef4-d7f4d1ee58b1" is an approximately thirty second color video depicting an approximately five-year-old female with dark brown hair sitting and looking away from the camera. An unidentified adult male's erect penis can be seen in the camera. The male begins to masturbate. At approximately fourteen seconds the male tells the female to open her mouth. She turns towards the male's penis and opens her mouth and gets close to the male's penis. He tells her to back up and again tells her to open her mouth. The male then ejaculates on the female's face. She then proceeds to ask him "what is that" twice.

11. On or about October 19, 2022, your affiant served a federal search warrant to Synchronoss Technologies Inc., for the account associated with mobile telephone number 330-357-XXXX [redacted]. Affiant did receive results for that federal search warrant on or about October 20, 2022. Affiant did complete a review of that cloud account and observed two videos of CSAM which were not previously reported in the initial two CyberTips. One of those videos, Video titled "05d471dd-9b9d-4f0a-bae8-7b90c8be7083" is an approximately 30 second color video depicting an approximately eight-year-old caucasian female with brown hair. At the start of the video, she is wearing a pink bra. She stands up and exposes her labia to the camera and then proceeds to spread her labia for the camera. She rubs her labia with her fingers, and this continues throughout the video.

12. On or about December 15, 2022, your affiant and agents of the Federal Bureau of Investigation executed a federal search warrant on the person of Richard A Murdock. Murdock was interviewed by your affiant and another FBI agent. During the interview, Murdock confirmed that he uses two emails, rmurdockjr@gmail.com, and rmurdockjr@hotmail.com. Furthermore, Murdock confirmed he was KIK user rjr31 and admitted to receiving CSAM on KIK and Telegram, as well as

sending it to other users. Murdock said he has been doing this for several years and has done it as recently as several nights prior to the interview. Murdock approximated that some of the pornography he views depicts children around the ages of eight, ten, or twelve years old.

CONCLUSION

Based on the above information, probable cause exists that Richard A Murdock violated has violated 18 U.S.C. § 2252(a)(2) - Receipt and Distribution of Visual Depictions of Minors Engaged in Sexually Explicit Conduct.

Nicholas J. Deserio

Nicholas J. Deserio, Task Force Officer
Federal Bureau of Investigation

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 3, 4(d), and 4.1, on this 16th day of December, 2022 in Akron, Ohio.



Amanda M. Knapp
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United States Magistrate Judge